

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J&J SPORTS PRODUCTIONS, INC.,	:
	:
Plaintiff,	:
	:
-against-	:
	:
LA NUEVA PERLITA RESTAURANT BAR	:
CORP. and FRANCISCO CAMPOS,	:
	:
Defendants.	:
	:
-----X	

MEMORANDUM & ORDER

13-cv-6198 (ENV) (RML)

VITALIANO, D.J.,

Plaintiff J&J Sports Productions (“J&J Sports”) commenced this action on November 8, 2013 seeking damages against defendants La Nueva Perlita Restaurant Bar Corp. and its owner, Francisco Campos, for the unauthorized televising of a pay-per-view boxing match. By Memorandum & Order, dated March 10, 2014, the Court granted plaintiff’s motion for default judgment and referred the matter to Magistrate Judge Levy for an inquest on damages.

On June 26, 2014, Judge Levy issued his Report and Recommendation (“R&R”) recommending that plaintiff be awarded \$15,331.05 in damages—consisting of \$5,110.35 in statutory damages and \$10,220.70 in enhanced damages—as well as \$525 in costs, for a total award of \$15,856.05.¹

In reviewing an R&R of a magistrate judge, a district judge “may accept,

¹ Plaintiff did not request attorney’s fees.

reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). A district judge is required to “make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made” by any party, Fed. R. Civ. P. 72(b). But, where no timely objection has been made, the “district court need only satisfy itself that there is no clear error on the face of the record” to accept the R&R. *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001)).

The R&R in this case gave proper notice that any objection must have been filed within 14 days—July 10, 2014. Neither plaintiff nor defendants have objected to Judge Levy’s R&R, much less within the time prescribed by 28 U.S.C. § 636(b)(1). In accord with the applicable standard of review, the Court finds Judge Levy’s R&R to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts it in its entirety as the opinion of the Court.

Conclusion

For the reasons set forth above, plaintiff is awarded judgment in default in the amount of \$15,856.05 as against both defendants jointly and severally.

The Clerk of Court is directed to enter judgment accordingly and to close this case.

SO ORDERED.

**Dated: Brooklyn, New York
July 14, 2014**

s/ENV



ERIC N. VITALIANO
United States District Judge